

LUKAS, NACE, GUTIERREZ & SACHS, LLP

1650 TYSONS BOULEVARD, SUITE 1500
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
DAVID A. LAFURIA
PAMELA L. GIST
TODD SLAMOWITZ*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS NEVITT*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
—
OF COUNSEL
GEORGE L. LYON, JR.
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. MCAYOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS BROWN*

*NOT ADMITTED IN VA

Writer's Direct Dial
(703) 584-8663
lsachs@fcclaw.com

October 9, 2009

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: RM-11572
Ex Parte Filing

Dear Ms. Dortch:

The attached letter was filed with the Federal Communications Commission ("FCC") by the Telecommunications Industry Association on September 29, 2009, in support of the Petition for Rulemaking ("Petition") submitted by the Enterprise Wireless Association. At that time, the FCC had not yet solicited comment on the Petition or assigned it an RM number. Now that the FCC has released a Public Notice inviting comments and has assigned RM-11572 to the Petition,¹ we request that the FCC include this letter in the record in the proceeding.

This letter is being filed electronically, in accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), for inclusion in the record in this proceeding.

Kindly refer any questions or correspondence regarding this matter to the undersigned.

Very truly yours,

/s/

Elizabeth R. Sachs
Counsel for Enterprise Wireless Alliance

¹ Public Safety and Homeland Security Bureau and Wireless Telecommunications Bureau Seek Comment on the Petition by Enterprise Wireless Alliance Requesting the Creation of New, Full Power, Interstitial 12.5 kHz Channels in the 800 MHz Band, *Public Notice*, DA-09-2183 (rel. Oct. 8, 2009).



www.tiaonline.org | 10 G Street, NE, Suite 550
Washington, DC 20002

Tel: +1.202.346.3240
Fax: +1.202.346.3241

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth St., SW
Washington, DC 20554

September 29, 2009

Re: Enterprise Wireless Alliance, Petition for Rulemaking (filed Apr. 29, 2009).

Dear Ms. Dortch:

The Telecommunications Industry Association (TIA) urges the Commission to expedite the release of the above-referenced Petition for Rulemaking¹ for public comment and initiation of a Notice of Proposed Rulemaking that endorses the proposals contained in the EWA Petition.

On April 29, 2009, the Enterprise Wireless Alliance (EWA) filed a Petition for Rulemaking at the FCC recommending rule changes that would enable the assignment of new, full-power interstitial channels between currently authorized channel assignments in the 854-861/809-815 MHz bands.

TIA represents the global information and communications technology (ICT) industry through standards development, advocacy, tradeshows, business opportunities, market intelligence and world-wide environmental regulatory analysis. Its 500 member companies manufacture or supply the products and services used in the provision of broadband and broadband-enabled applications. With roots dating back to 1924, TIA enhances the business environment for broadband, mobile wireless, information technology, networks, cable, satellite and unified communications. Members' products and services empower communications in every industry and market, including healthcare, education, security, public safety, transportation, government, the military, the environment and entertainment.

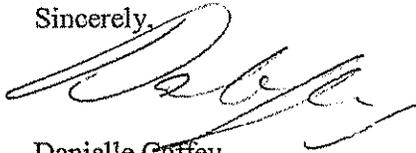
TIA agrees that the creation of new channels in the 854-861/809-815 MHz bands will promote greater spectrum efficiency. Further, the EWA proposal will further encourage the development of new wireless technologies critical to incumbent operators that need to expand current operations and also to new licensees who seek reliable spectrum alternatives. As noted in the

¹ Enterprise Wireless Alliance, Petition for Rulemaking, (filed Apr. 29, 2009) (EWA Petition).

EWA Petition, many of the new narrowband and digital technologies that are now produced for operations in the 150-174 and 470-512 MHz bands can be made available in the 800 and 900 MHz bands, including dual-band communication devices. As such, it would be prudent to update the 800 MHz channelization plan to accommodate these new products and to promote greater spectrum efficiency. TIA also believes that it will be possible to identify appropriate coordination mechanisms to ensure that incumbents receive continued protection from interference.

TIA hopes that the Commission will act rapidly on the EWC Petition and release it for public comment as soon as possible. I thank the Commission for its consideration, and look forward to working with it on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Danielle Coffey', written over a horizontal line.

Danielle Coffey
Vice President,
Government Affairs

Cc: Mr. Julius Knapp, Chief
Office of Engineering Technology